

AMENDED IN SENATE MAY 3, 2006

**SENATE BILL**

**No. 1485**

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**Introduced by Senator Hollingsworth**

February 23, 2006

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An act to amend Section 653o of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1485, as amended, Hollingsworth. Protected animals.

Existing law provides that it is a misdemeanor to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any of a list of specified animals, including alligators and crocodiles.

This bill would revise the list to provide that the prohibition applies to alligators and crocodiles if they are endangered species, as specified by deleting the reference to alligators and crocodiles.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 653o of the Penal Code is amended to  
2     read:  
3     653o. (a) It is unlawful to import into this state for  
4     commercial purposes, to possess with intent to sell, or to sell  
5     within the state, the dead body, or any part or product thereof, of  
6     the following:  
7     (1) ~~Any~~ any polar bear, leopard, ocelot, tiger, cheetah, jaguar,  
8     sable antelope, wolf (*Canis lupus*), zebra, whale, cobra, python,  
9     sea turtle, colobus monkey, kangaroo, vicuna, sea otter,

1 free-roaming feral horse, dolphin or porpoise (Delphinidae),  
2 Spanish lynx, or elephant.

3 ~~(2) Any alligator or crocodile listed by the California~~  
4 ~~Endangered Species Act or the federal Endangered Species Act,~~  
5 ~~or listed as endangered by any other federal law or any~~  
6 ~~international treaty to which the United States is a signatory.~~

7 (b) Any person who violates any provision of this section is  
8 guilty of a misdemeanor and shall be subject to a fine of not less  
9 than one thousand dollars (\$1,000) and not to exceed five  
10 thousand dollars (\$5,000) or imprisonment in the county jail for  
11 not to exceed six months, or both such fine and imprisonment,  
12 for each violation.

13 (c) The prohibitions against importation for commercial  
14 purposes, possession with intent to sell, and sale of the species  
15 listed in this section are severable. A finding of the invalidity of  
16 any one or more prohibitions shall not affect the validity of any  
17 remaining prohibitions.